

connectivity between the power source and the heating coil via the power cord. This step is supported by the specification at page 10, line 23, through page 11, line 18. In addition, new claims 34 and 35 are supported by the specification at the same location. Accordingly, no new matter is introduced by this amendment, and entry thereof is requested. Upon entry, claims 20-35 are active in this application.

Remarks

The Office Action mailed March 10, 2000 includes a rejection of claims 20-33 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,454,471 to Norvell and U.S. Patent No. 5,750,962 to Hyatt. This rejection is traversed.

Norvell describes a container for transporting food, such as pizza. A container for delivering individual pizzas is depicted by Figure 1, and a container for large-scale delivery of pizza is depicted by Figure 4. *Norvell* further describes the use of a temperature maintenance device including a sealed packet 80 containing a phase change material 82. See *Norvell* at column 7, lines 21-28. *Norvell* teaches activating the phase change material by placing the temperature maintenance device in a microwave oven. See *Norvell* at column 7, lines 51-63.

The claimed invention provides a method for transporting cooked pizza where a thermal storage assembly containing a heating coil is heated by electrical energy while it is placed within a sub-chamber of a case for transporting pizza. In addition, the thermal storage assembly can be heated while the thermal storage assembly and the cooled pizza are provided within the case for transporting pizza. It is submitted that *Norvell* fails describe or suggest such a method. *Norvell* describes activating a phase change material in a microwave oven that is outside of the container for delivering individual pizzas.

Furthermore, the invention provides for energizing the heating coil by providing electrical connectivity between the power source and the heating coil via the power cord. In contrast, *Norvell* teaches activating the phase change material by placing the temperature maintenance device in a microwave oven. Although *Norvell* mentions heating by battery or fuel at column 8, lines 8-13, *Norvell* fails to disclose or suggest heating a thermal storage device by electrical energy while the thermal storage device is provided within a sub-chamber of a case for delivering pizza. Furthermore, *Norvell* fails to disclose or suggest heating a thermal storage

assembly in a case for transporting pizza while the pizza is provided in the case for transporting pizza.

It is submitted that *Hyatt* fails to cure the defects identified above with respect to *Norvell*. It is submitted that one having ordinary skill in the art would not have received the suggestion from *Hyatt* to modify *Norvell* to replace the sealed packet 80 described by *Norvell* with a thermal storage assembly having a heating coil and provide electrical connectivity between a power source and the heating coil while the thermal storage assembly is provided within a sub-chamber of a case for delivering pizza at the same time that a cooked pizza is provided within the case for delivering pizza.

In view of the above comments, a *prima facie* case of obviousness has not been established. Accordingly, withdrawal of this rejection is requested.

It is believed that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

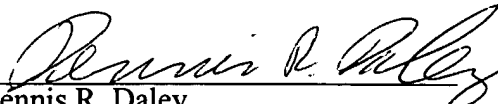
Respectfully submitted,

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300

Date:

September 7, 2000

DRD:mel


Dennis R. Daley
Reg. No. 34,994